

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of :
Yasuyuki MITSUOKA et al. :
Serial No. 09/837,836 / : Group Art Unit - 2873 /
Filed: April 18, 2001 / : Examiner - Richard E. Hanig
For: OPTICAL WAVEGUIDE PROBE / :
AND MANUFACTURING METHOD :
OF THE SAME, AND :
SCANNING NEAR-FIELD :
OPTICAL MICROSCOPE : Docket No. S004-4282

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COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

RESPONSE

S I R:

In response to the Office Action dated March 12, 2003, applicants amend their application as follows:

ELECTION OF INVENTION:

Applicants provisionally elect, with traverse, the invention characterized by the Examiner as Group I drawn to an optical waveguide probe and submit that claims 1-12 and 13 are readable on the elected invention.

ENCLOSURE
LAST PAGE

REMARKS

In the last Action, restriction was required between claims 1-12 and 13 drawn to an optical waveguide probe and claims 14-16 and 17-22 drawn to a manufacturing process of an optical waveguide probe. The Examiner stated that the two inventions are patentably distinct from each other, thereby making restriction proper. Applicants were required to elect one of the two inventions for further prosecution in this application.

In response to the restriction requirement, applicants have provisionally elected the invention of Group I drawn to an optical waveguide probe and submit that claims 1-12 and 13 are readable on the elected invention. The non-elected claims have been retained in the application pending possible withdrawal of the restriction requirement or applicants' decision to pursue the subject matter thereof in a continuing application.



In light of the foregoing, early and favorable action on the merits is respectfully requested.

Respectfully submitted,

ADAMS & WILKS
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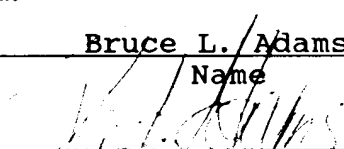
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: COMMISSIONER OF PATENTS & TRADEMARKS, Washington, D.C. 20231, on the date indicated below.

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April 2, 2003

Date

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